

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 24189 of 2004

Between:

Shaik Karimulla, S/o.Late Jawahar Bi,
R/o.Amaravathi, Guntur District.

..... PETITIONER

AND

- 1 The Joint Collector (Civil Supplies), Guntur, Guntur District.
- 2 The Revenue Divisional Officer, Guntur, Guntur District.
- 3 The Mandal Revenue Officer Ungutur, Amaravathi, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to grant a direction/s, order/s, writ/s more so in the nature of writ of Mandamus declaring the action of the respondent herein in not allotting the Kerosene hawker license or transferring the same to the petitioner as illegal, arbitrary and unconstitutional and to dispose of the representation dated: 17-12-2004 and may pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case, pending disposal of writ petition.

Counsel for the Petitioner:MR K.JOSEPH

Counsel for the Respondents No. 1 to 3: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following ORDER:

The mother of the petitioner was granted a Kerosene Hawker's licence. She is said to have died on 05.11.2004. The petitioner states that he made an application on 17.12.2004 to the respondents to grant the licence in his name, since the entire family was depending upon the income derived out of selling the kerosene.

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies.

A kerosene hawker's licence was issued to the mother of the petitioner. With her death, the licence comes to an end. The licence is not inheritable. The petitioner claims to have made an application on 17.12.2004 for grant of licence in the place of his mother. Though the petitioner almost claimed in the form of a succession, the respondents can certainly consider the application of the petitioner in accordance with the existing rules and norms for grant of licence, afresh.

Hence, the writ petition is disposed of directing the respondents to consider the application of the petitioner dated 17.12.2004 in accordance with the existing provisions of law and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. No order as to costs.

27.12.2004

ksld

To

- 1 The Joint Collector (Civil Supplies), Guntur, Guntur District.
- 2 The Revenue Divisional Officer, Guntur, Guntur District.
- 3 The Mandal Revenue Officer Ungutur, Amaravathi, Guntur District.

4 Two CCs. to the G.P. for Civil Supplies, High Court of A.P.,

Hyderabad (OUT)

5 Two CD copies.